

SECOND REGULAR SESSION

HOUSE BILL NO. 1394

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DIXON (Sponsor), RUESTMAN, BOUGH, WOOD, SCHNEIDER WITTE, WILSON (130), VIEBROCK, SUTHERLAND, YATES, LUETKEMEYER, PARKER, ICET, WRIGHT, MORRIS, ROARK, THRELKELD, MARSH, NIEVES, BRUNS, DUSENBERG, KELLY (36), KELLY (144), KUESSNER, ST. ONGE, SWINGER AND BIVINS (Co-sponsors).

Read 1st time February 4, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4278L.011

AN ACT

To repeal section 589.400, RSMo, and to enact in lieu thereof one new section relating to sex offender registration.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 589.400, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 589.400, to read as follows:

589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit, a felony offense of chapter 566, RSMo, or any offense of chapter 566, RSMo, where the victim is a minor; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit one or more of the following offenses: kidnapping, pursuant to section 565.110, RSMo; felonious restraint; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; incest; abuse of a child, pursuant to section 568.060, RSMo; use of a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under eighteen years of age; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

17 (5) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter
18 convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state or under
19 federal jurisdiction to committing, or attempting to commit, an offense which, if committed in
20 this state, would be a violation of chapter 566, RSMo, or a felony violation of any offense listed
21 in subdivision (2) of this subsection or has been or is required to register in another state or has
22 been or is required to register under federal or military law; or

23 (6) Any person who has been or is required to register in another state or has been or is
24 required to register under federal or military law and who works or attends school or training on
25 a full-time or on a part-time basis in Missouri. "Part-time" in this subdivision means for more
26 than fourteen days in any twelve-month period.

27 2. Any person to whom sections 589.400 to 589.425 apply shall, within ten days of
28 conviction, release from incarceration, or placement upon probation, register with the chief law
29 enforcement official of the county in which such person resides unless such person has already
30 registered in that county for the same offense. Any person to whom sections 589.400 to 589.425
31 apply if not currently registered in their county of residence shall register with the chief law
32 enforcement official of such county within ten days of August 28, 2003. The chief law
33 enforcement official shall forward a copy of the registration form required by section 589.407
34 to a city, town, village, or campus law enforcement agency located within the county of the chief
35 law enforcement official, if so requested. Such request may ask the chief law enforcement
36 official to forward copies of all registration forms filed with such official. The chief law
37 enforcement official may forward a copy of such registration form to any city, town, village, or
38 campus law enforcement agency, if so requested.

39 3. The registration requirements of sections 589.400 through 589.425 are lifetime
40 registration requirements unless all offenses requiring registration are reversed, vacated or set
41 aside or unless the registrant is pardoned of the offenses requiring registration.

42 **4. For processing an initial sex offender registration the chief law enforcement**
43 **officer of the county shall charge the offender registering a nonrefundable fee of ten**
44 **dollars.**

45 **5. For processing any change in registration required pursuant to section 589.414**
46 **the chief law enforcement official of the county shall charge the person changing their**
47 **registration a nonrefundable fee of five dollars for each change made after the initial**
48 **registration.**